IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.164 OF 2004

Hindustan Zinc Limited ..Petitioner.

Vs.

Jayesh Forging Co. Pvt. Ltd. ..Respondent.

...

Ms. Khooshnum Daviervala i/b Mulla & Mulla for the Petitioner.
None for the Respondent.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

21st June, 2007.

P.C. :

The claim in the Company Petition for winding up is on account of goods sold, supplied and delivered of a value of Rs.6,40,431/-. There was no reply to the statutory notice issued on 31st October, 2003. In fact, by its letter dated 12th August, 2003, the Company admitted its liability and acknowledged that the cheques which were issued by the company had been dishonoured.

The Company has remained absent despite service. An affidavit of service has been filed. There is no reply or defence to the Petition for winding up. From the material before the Court it is

evident that the Company is unable to pay its debts. The Company Petition is accordingly made absolute in terms of prayer clauses (a) and (b).